

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 8059

BILL NUMBER: SB 482

DATE PREPARED: Jan 16, 2001

BILL AMENDED:

SUBJECT: Prescription Drug Discount Card.

FISCAL ANALYST: Bernadette Bartlett

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**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill provides that a person may not sell, market, promote, advertise, or distribute a card, a device, or another purchasing mechanism that is not insurance that purports to offer discounts or access to discounts from a pharmacy for purchases of prescription drugs or devices if certain conditions exist. The bill also provides penalties for violations.

Effective Date: July 1, 2001.

Explanation of State Expenditures: The Office of the Attorney General could experience additional expenses associated with bringing legal action against violators. However, the additional expenses could be absorbed given the Office's existing budget.

Explanation of State Revenues: If the Attorney General brings an action under the above provision and prevails, the Attorney General could collect penalties equal to \$100 per card or \$10,000, whichever is greater; three times actual damages; reasonable attorney's fees; court costs; and other relief the court considers proper. Violators could also be subject to penalties provided under the deceptive consumers sales law. Penalties would be deposited in the State General Fund.

Explanation of Local Expenditures: Local prosecuting attorneys could experience additional expenses associated with bringing legal action against violators. However, the additional expenses could be absorbed given their existing budget.

Explanation of Local Revenues: If a prosecuting attorney brought an action under the above provision and prevailed, the Attorney General could collect penalties equal to \$100 per card or \$10,000, whichever is greater; three times actual damages; reasonable attorney's fees; court costs; and other relief the court considers proper. Violators could also be subject to penalties provided under the deceptive consumers sales law. Penalties would be deposited in the county general fund.

State Agencies Affected: Office of the Attorney General.

Local Agencies Affected: Prosecuting Attorneys.

Information Sources: